

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MICHAEL J. O'CONNELL, et al.,)

Plaintiffs,)

vs.)

Case No. 4:06CV1436 CDP

STACKMASTERS, LLC,)

Defendant.)

JUDGMENT


Plaintiffs filed this action to recover from defendant Stackmasters, LLC delinquent contributions, liquidated damages, and interest allegedly owed to the plaintiff employee benefit funds pursuant to 29 U.S.C. §§ 185 and 1132. Plaintiffs also seek to recover union dues, attorney's fees, and costs incurred in this action.

Defendant submitted contribution report for the months of November and December 2006 and January, April, and May 2007, but did not pay the amounts owed as reflected on those reports. These reports reflect that defendant owes \$24,825.62 in contributions. Plaintiffs have also computed the amount of liquidated damages, interest, and union dues owed by defendant based on reports submitted without payment for the above-referenced months. these computations reflect that defendant owes \$840.00 in liquidated damages, \$1962.98 in interest, and \$2553.27 in union dues.

The collective bargaining agreement and ERISA, 29 U.S.C. § 1132(g)(2), require defendant to pay plaintiffs' legal fees and costs. Plaintiffs have incurred legal fees in the amount of \$680.00 and court costs of \$472.55. Based on the evidence presented, the Court finds that the services performed by plaintiffs' attorneys were reasonable and necessary to the litigation of this case, that the rates charged were reasonable, and that the amount sought for attorneys' fees is reasonable.

The total amount owed by defendant to plaintiffs is \$31,324.42.

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that plaintiffs shall recover from defendant Stackmasters, LLC the total amount of \$31,324.42.


CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 25th day of July, 2007.